

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

SHIRLEY JOHNSON, as Legal Guardian)
of Michael Gilfeather, an incapacitated)
adult,)
)
Plaintiff)
)
and)
)
OAK RIVER INSURANCE COMPANY,)
)
Intervening Plaintiff) No. 2-02-0080
)
v.)
)
MANITOWOC BOOM TRUCKS, INC.)
and NATIONAL EQUIPMENT)
SERVICES, INC.,¹)
)
Defendants)

ORDER

In accordance with the contemporaneously entered memorandum, the defendant's Motion to Exclude Testimony and for Summary Judgment (Docket Entry No. 86) is GRANTED, and this action is DISMISSED WITH PREJUDICE.

The entry of this order shall constitute final judgment in this action pursuant to Rule 58 of the Federal Rules of Civil Procedure.

So ORDERED.


JULIET GRIFFIN
United States Magistrate Judge

¹National Equipment Services, Inc. was dismissed from this case by order entered November 8, 2004 (Docket Entry No. 60).